

Amendment No. 1 to HB1037

**Curtiss
Signature of Sponsor**

FILED

Date _____

Time _____

Clerk _____

Comm. Amdt. _____

AMEND Senate Bill No. 1254

House Bill No. 1037*

by deleting all language after the enacting clause of the introduced bill and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 62, Chapter 19, Part 1, is amended by adding the following as a new, appropriately designated section:

Section 62-19-1__.

(a) Notwithstanding the provisions of §62-19-119, any auctioneer who performs auctioneering services and is subsequently denied payment for a commission or fee for services performed shall have a lien for such work upon the property that the auctioneer was hired to auction; provided however, that such lien shall only extend to property that is owned by the person who has denied payment for a commission or fee for services performed by the auctioneer.

(b) Notice of the lien shall be filed within thirty (30) days after the date of the auction with the register's office in the county or counties in which the property is located. The lien shall not be effective against a bona fide purchaser for value.

(c) The lien shall continue for a period of ninety (90) days from the date of filing in the register's office in the county or counties in which the property is located and until the final termination of any suit for enforcement brought within such period.

SECTION 2. This act shall take effect July 1, 2007, the public welfare requiring it.